

HAMILTON COUNTY BOARD OF COMMISSIONERS
AND
HAMILTON COUNTY COUNCIL
JANUARY 17, 2008

The Hamilton County Board of Commissioners and Hamilton County Council met on Thursday, January 17, 2008 at Osprey Pointe, 19777 Morse Park Lane, Noblesville, Indiana at 8:30 a.m.

Commissioner President Altman called the Hamilton County Board of Commissioners meeting to order and declared a quorum present of Commissioner Christine Altman, Commissioner Steven C. Dillinger, and Commissioner Steven A. Holt.

Council President Rick McKinney called the Hamilton County Council to order. Auditor Robin Mills called roll and declared a quorum present of Councilor Brad Beaver, Councilor Jim Belden, Councilor Meredith Carter, Councilor John Hiatt, Councilor Judy Levine, Councilor Rick McKinney, and Councilor Steve Schwartz.

Highway Projects [8:32]

Mr. Brad Davis updated everyone on the status between budget time and current with respect to the MPO preliminary grants and how it has accelerated several highway projects due the favorable approval of the MPO. Davis stated they have not been approved by the technical or policy committees or the Metropolitan Development Commission. The initial cut that the MPO did put it in a fiscally restrained arena. The amounts awarded are based upon their anticipated revenue that they will receive in the next Federal Highway Bill and that Bill has not gone through Congress.

Davis stated we have asked several projects and the projects recommended are:

Pedestrian Bridge on the Monon Trail over 146th Street. This project is needed for the safety of the people want to cross at that location and it will tie into Westfield's plan for the expansion of Monon Trail north of 146th Street. Financing is arranged for that project and construction should begin in 2008.

Olio Road (2 segments). The project will take that four lane facility from where it stops at the newly completed bridge down to 96th Street. This would complete that corridor for Hamilton County. This is becoming a recognized transportation corridor regionally and it is being studied to Shelby County as a possible eastern corridor for the region.

146th Street West – Davis stated we did receive recommendation for a portion of 146th Street West, Springmill Road to Ditch Road. This carries about \$5.3 million of federal aid with total costs of \$6.6 million. Our intent is to accelerate this project.

Davis stated we received approximately \$12 million of federal aid and they only awarded \$70 million which includes Marion County and all surrounding counties. The total projects submitted were over \$238 million. With this money comes the need to accelerate development to keep the projects within the federal timelines. Davis stated we have also given guidance to Cicero, and they were selected and recommended for their project for the walkway over the Morse causeway.

Highway Project Needs for 2008

Altman stated due to the award of monies for West 146th Street we moved those projects up on the list and we want to push them forward. The amounts listed are the county portion.

1. 96th Street Mollenkpf to Fall Creek - \$661,000
2. 104th Street and Olio Road Intersection - \$175,000
3. 136th Street and Prairie Baptist Road Intersection - \$200,000
4. Olio Road – 104th Street to Geist - \$60,000
5. Olio Road – 96th Street to 104th Street - \$75,000
6. Monon Trail Pedestrian Bridge - \$120,000
7. 146th Street and Herriman Road Intersection - \$200,000
8. Olio Road Corridor Study - \$200,000
9. 131st Street and Allisonville Road Intersection - \$50,000
10. 236th Street – US 31 to Deming Road - \$1,184,000
11. 146th Street – Springmill Road to Ditch Road - \$250,000
12. 146th Street – Ditch Road to Towne Road - \$280,000
13. 146th Street - Towne Road to County Line - \$350,000
14. 96th Street and Cumberland Road Intersection - \$88,000
15. 146th Street – Allisonville Road to SR 37 Corridor Study - \$200,000
16. 106th Street and Ditch Road Intersection - \$750,000
17. 206th Street – Hague Road to SR 19 - \$40,000
18. 206th Street – SR 19 to Cumberland Road - \$184,000
19. 236th Street – Deming Road to Cicero - \$278,000
20. 161st Street and Gray Road Intersection - \$90,000
21. 206th Street and Overdorf Road Intersection - \$125,000

Dillinger stated the list is in priority order with a total cost of \$5,560,000. Davis stated they looked at what was available for appropriation from Highway COIT of \$1,136,000 that could be used towards these projects. Projects 1, 2, 3 and 9 we had intended for 2007 but they are moving slower than we would like and we were unable to encumber the money in 2007 so that money rolled. Project #9 was listed in 2007 but we are just now entering into an agreement with Fishers and we could not encumber that money but it will be needed in 2008. Davis stated if we were to allocate all of the COIT money there would not be a balance left for any unanticipated additional appropriations that might come up during the year. Davis stated there is \$2.8 million in Motor Vehicle Highway (MVH) budget, which is used for operating needs. This fund is not growing in terms of annual receipts and there is more pressure to see that fund decrease. There is \$2.8 million available for appropriation but there is an operating balance that we need to keep, which is a policy decision. Mike Reuter recommends keeping half of the budget which is approximately \$2.2 million; that would leave \$600,000 available for appropriation. The commissioners believe we could use \$1.5 million of MVH Funds. It is a decision of the Council on how much operating funds should be kept in MVH. Altman stated she has spoken with Reuter and they concurred that given the timing of distributions to the MVH fund we could go below the half years budget but he was also concerned with this replacement fund coming in and not knowing what the legislature would do. As we see tax reform she is concerned, this carries our operating balance. We would have to supplant these

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funds with other funds if the legislature starts cutting them and we use our reserve and it will happen at an accelerated pace. The \$1.5 to move projects forward, depending on the cash reserves, is available and will not affect operations in 2008. It could affect 2009 and 2010 depending on distributions. We would be coming with a need for more COIT to supplant Motor Vehicle for operating in the future if that happens. Dillinger stated some of the Councilors have discussed bonding some of these projects, with all of the proposals going on with the legislature and not knowing where the tax issues will be, he does not know how we could bond right now. The Commissioners discussed it and we think it is good idea to bond but we don't know how we could do it until next year when everything settles down. Altman stated we don't want to risk tying up COIT that is needed to pay off the bonds until we know where we are going to land. The operating reserve kept is a good thing right now and if we go through another dip in COIT we need to make sure we can provide the essential services we need to provide.

McKinney asked if these amounts don't represent all of the projects? Dillinger stated no, these are only 2008 monies. Davis stated we started a lot in late 2007, we are looking for money in 2008 to keep these projects moving forward. Davis stated projects 1-3 have to keep moving forward because of the federal aid. Altman stated on the 146th Street you are seeing engineering to get to the right of way acquisition stage. We did not think we could get engineering done and acquisition done in 2008. If we are lucky we may have to come back and ask for money for acquisition. Davis distributed a detailed list of unfunded project needs for 2008-2012. Beaver confirmed that the totals requested would be \$5.5 million in 2008; \$15.6 in 2009; \$21.7 in 2010; \$37.7 in 2011; and \$17.9 in 2012? Altman stated if we push all of these projects forward on a logical path, yes. Davis stated everything on this sheet is local funding; the federal aid amounts are not factored in. Holt stated these amounts are if there is no federal aid and we stay on this schedule, it could take twice as long if we are funding it only on county dollars. Altman stated we hope to have a significant amount offset by federal funding but as it goes with the IRTC and the federal funding cycle we don't know when those funds will be available. What happens in the IRTC is projects get delayed in other jurisdictions then that money would be available for a project that is ready to go. Davis stated in relation to 146th Street west; just the fact that we did the extension and in terms of Jan Powell's efforts, she is working hard to get additional funding for the western party of the county. The importance of that corridor is well known locally, including a conversation he has had with the Indiana Federal Highway Division Administrator asking when we were going to do that. Now that we have had support for Phase 1 with the MPO, the others will probably happen. We show the remainder of the project is local dollars, he is hopeful that by the time we get there we will have some additional federal aid. We would like to keep the design and land acquisition moving forward as quickly as we can so we are in a position that if local federal aid becomes available that we can tap it. Altman stated right of way design and acquisition is typically local dollars anyway. McKinney stated a lot of these we are designing only and we are waiting to see how the dust settles with the legislature? Altman stated the first three we will get done, we are in a position to let the contracts in 2008. Davis stated Project #1 (96th Street Mollenkopf/Fall Creek) will have construction in 2009, we are hoping for a very late 2008 highway letting. McKinney asked if there is any possibility of Project #16 (106th/Ditch Intersection) that we have the plans designed to hand it to Carmel and let them build it? Altman stated we talked about that, the order from the Supreme Court for Western Clay is that when they did not appeal to the US Supreme Court it locked in the agreement as of the date that it was non-appealable, which was July 2007. The original agreement was that they would defer annexation for three years, so it is an annexation delay and it won't affect us other than we get rid of the highways at that point. Carmel will abate tax on top of that for three years. The county's jurisdiction will terminate June 27, 2010. It will leave a traffic snarl for three years and Carmel will probably not invest in that area for six years. It is a policy decision if we fund it. It is an intersection that needs to be addressed. McKinney stated he agrees. Davis stated those funds are about 90% complete and if we move it quickly we could be under construction in 2008. Carter stated in 2008 you will need an additional \$2.9 to move forward? Davis stated we need discussion on how much of the COIT and MVH funds we want to allocate to these projects. Altman stated that basically decimates any COIT reserve. Anything else we would have to request additional COIT which causes issues with the Auditor's office because of the need to keep the funds separate. Our preference would be to leave a reasonable reserve to handle if we need a quick fix on signage, stop lights, non-major projects. The reserve should probably be \$500,000 to \$1 million with the assurance to the Council that we won't do a major project out of those funds. Davis stated it would be nice to have \$250,000 to accommodate unforeseen circumstances. Beaver stated he appreciates the fact that we are all anticipating what could come out of Indianapolis. He thought coming into this meeting the Commissioners would be pressing us for a Bond and he could not possibly vote for a Bond when he does not know what our revenues will be. Beaver stated he has no problem giving these projects the amount of money that we have available over our COIT balance that Reuter likes us to keep rolling forward. We can look at that balance and if he has no problem applying those additional balances to these projects presented to us. The balance that we have carried in the past has served us well during an economic downturn and we were able to weather it without laying people off and cutting back services. Beaver stated he sees another downturn coming towards us and as long as we can keep our half collection balance, anything we have over that he has no problem. McKinney stated they carry about \$15 million to \$18 million. Beaver stated our regular COIT distribution came out but there was a shortfall because of new calculation Mr. Lane decided to use. Maybe we will get it later and probably we will get the balance later but it goes into the Rainy Day Fund which the legislature has put restrictions on what we can use the Rainy Day Fund for. It is our COIT money to start with but because they held it up and will send it to us later it goes into a fund that they (State) put rules on. How can we possibly conduct business this way? The Rainy Day rules are not so restrictive that we can't use them for highway projects but in effect that is our county income tax money that since they are late sending, goes into a fund that they put restrictions on. Belden stated the Finance Committee will take a look at these figures, this is well done and he will support it as much as we can. Schwartz stated he agrees and supports it as well. Davis stated if we kept 50% of MVH we would be at \$2.2 out of the \$2.8. That \$1.5 would have to drop to \$600,000. Beaver stated we view it as two hands in the same pot. If you run short and have an emergency you will come to the Council and we will dip into COIT, it is the same pot of money. Davis asked if the highway COIT is counted in the reserve? Beaver stated no, once it is designated as Highway COIT it is not part of our cash balance. McKinney stated they have a finance committee on Wednesday and this will be discussed with Reuter with an official recommendation to Council at their February meeting. McKinney asked if they want all of this money at one time or piece meal throughout the year? Altman stated she would like to have it resolved so they can let contracts; they can not let contracts unless the money is appropriated.

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Major Bridges [9:07]

Davis stated they have an estimate on the Olio Road over I-69 of approximately \$13.6 million. At the end of 2007 there is approximately \$5 million available in the Major Bridge Fund. It grows at about \$1.2 million per year, net our debt service. In two years we would have about \$7.4 million, which is when we would anticipate the earliest letting of this project. If we approve Noblesville's contribution of \$1.5 million we would have approximately \$9 million that could be available at that time. The difference would be \$4 million. Beaver asked where that money would come from? Dillinger stated according to Mike Howard we could Bond that \$4 million and pledge the revenue from Major Bridge to reduce the Bond. You are not increasing property taxes. Beaver stated when we say \$1.1 million coming in to the Major Bridge Fund, it is projected that \$3.3 million will be coming into Major Bridge. The net is because of the committed dollars for the projects that were bonded. This is new money. Beaver asked if any of those Bonds are coming off soon? Altman stated she thinks they are 20 year Bonds, not anytime soon. Beaver stated if you commit that money for this bridge it throws the Pleasant Street bridge out the window. Dillinger stated no, he does not think so. Beaver stated there will be no bridge money available for another bridge. Dillinger stated in talking with Noblesville, they won't have their part of the money for the next two to three years. That bridge, if it is built, is out there some where. Beaver stated it will be two years to be under construction using the money we have but if you commit future major bridge money to the bonding payments for the Olio bridge that leaves no major bridge money available for any bridge after that. Altman stated that is not correct. Altman stated for every million dollars of bonded indebtedness the debt service estimate is \$90,000. If we bond \$4 million the debt service coverage would be \$360,000. You would still have a spread to do the next bridge. Beaver stated if you use today's dollars out of the \$1.5 generated every year. Dillinger stated the new money. Dillinger stated you would still have \$1.2 million that you could also bond against. Altman stated we won't have specific numbers until we get to final engineering. Beaver stated he sees the (Olio) bridge is a four lane bridge with multi-use paths; the idea is that you don't get off or on I-69 you just go over? Dillinger stated correct. Beaver stated that needs to be four lanes with multi-use paths? Dillinger stated correct. Beaver asked who retains the responsibility for the multi-use paths. We built 146th Street with spots in it that the multi-use path was supposed to be built by the jurisdiction that took it over and it has not happened. Dillinger stated it is still planned. Dillinger asked Brian Ayer if Noblesville is still planning on installing multi-use paths on 146th Street? Ayer stated that all took place before his time. Ayer stated it should have been exacted at the time the development was approved. Dillinger asked Ayer to check on it and have someone get back to us? Ayer stated yes. Beaver stated the multi-use path on the bridge will cost us money and he would hate to see our money in a multi-use path that when it gets to a jurisdiction there are no paths connecting to it. Altman stated the only thing we can do is to check the jurisdictions thoroughfare plans, which we have adopted through to make sure they have the multi-use paths within the thoroughfare plan. McKinney stated the answer is that when Noblesville annexed Lochaven they exempted them from that. Dillinger stated north of the bridge will be county jurisdiction, we have already had that discussion with Noblesville. Davis stated the multi-use paths would be built with our project. Davis stated all along 146th Street where there are spots, we are looking at it now to see what we can do to connect the paths. McKinney stated the Council tabled the agreement for the Olio Bridge because it was open ended with dollar amounts. With what we saw initially to what we were given today the cost has doubled. We are going to discuss this at the Finance Committee meeting. Davis stated this is a rough estimate because no design work has been done. Davis stated the original was \$8.6 million which did not include construction inspection fees, contingency, etc. That was a rough number for just the bridge itself. Dillinger stated this bridge is a huge deal for Noblesville but the State is very interested in it also. It will ultimately connect I-70 and I-74. The State believes it will help alleviate pressure on I-465, etc. It is huge for the people on the eastern side of the county. Altman stated the intent of the agreement was to bind Noblesville and Fishers with respect to their contribution. Altman stated she does not see anything wrong with the Council approving this contract with the exception that the Council has not agreed to fund it. We need to lock down the commitment of Noblesville and Fishers, which is the only intent on this agreement. It can be clarified in your motion and adoption that you approve of the agreement and commitments of Noblesville but at this time you have not done an analysis to assure that it is fundable within the next two year or put a limit. You can commit to the exactions from Noblesville and that is the intent of the agreement. Altman asked if the Council is going to vote on this today? McKinney stated not until the Finance Committee can discuss it, it will be brought up at the February Council meeting.

Altman called a break in the meeting.

The meeting was called back to order.

First Indiana Bank Building

Altman distributed copies of the feasibility studies done on the First Indiana Bank Building. The study looked at using the building for 10 years; the main items needed would be roof replacement and window replacement. The windows are fine in the facility; they are just single pane and an energy issue. The roof is an issue that needs to be addressed. The upper level square footage is approximately 3,000 square feet with a full basement that we did not count in terms of occupancy except for storage. There is not a mold issue and no asbestos other than the perimeter ballast, which would have to be dealt with whether it is torn down or renovated. The windows, if we only use the building for a five to ten year period would not be a good investment. The roof would be approximately \$31.00 per square foot of usable space. We have invested acquisition costs of \$625,000. If everything was leveled we would get 110 parking spaces but with Noblesville's landscaping ordinances it would be 75 parking spaces. Altman stated the current facility has 29 parking spaces, if we took off the drive-thru and reconfigured parking we would get close to 50 spaces. Altman stated we have usable space with an investment of less than \$100,000 for five to ten year period. We would have a net gain of approximately 50 parking spaces, instead of 74 (tearing it down), and we are presuming the township assessors will be under our roof and we need to find a place to put them assuming the legislature is successful in eliminating them. They will have to be under the purview of the county assessor and it would make sense to bring them in house for supervision and consistency and we would eliminate the rental space that we pay dearly for. We need the space; if the building is torn down we will be asking the Council for a major capital project within one to two years. Schwartz stated he would rather see us look 10, 15, 20 years out. We are going to raise it anyway, when we bought the building we were all in agreement that we would demolish it. We need to look at a capital project instead of a temporary fix of a 40 year old building. Beaver stated between the Judicial Center and Historic Courthouse we have 411 full time employees and 17 part time employees for a total of 428 employees. Mr. Farley counted the parking spots, including the 29 current parking spaces at the bank building for a total of 337 parking spaces that are available for county

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employees. We are approximately 100 spaces short. Beaver stated he agrees we have space needs and you have an engineering firm looking at our options but he agrees with Councilor Schwartz, knock it down, and pave it over so we have at least solved the lion's share of the parking problem immediately. Yes we have space needs, yes we have the assessors coming to us but at least we have solved something with our \$600,000 which is a place for our own employees to park when they come to work in our buildings. Schwartz asked if the building is off the tax rolls? Altman stated yes. Schwartz stated we are paying \$2,000 a month to keep the building heated. Beaver stated he does believe a change is coming for the assessors, it is more than likely we will make no change for at least a year until it is determined what the result of the legislation is. We will deal with that problem when it is a law and it is in front of us. Altman stated knocking that building down would be a net gain of 20 parking spaces and a loss of a facility that would only take \$100,000 to make usable for the next five to ten years. Holt stated he concurs with Altman, we are looking at around \$300,000 to build new and for \$31.00 a square foot we can use this for five years, it is a prudent thing to do. We have numerous departments that are saying they are out of space. We have had two departments look at it and say it was not big enough for them. We are at the end of our rope and if the legislature clamps down on the ability to bond, which looks like they might, whether we think its good government to build another building may not be another option. It seems for a small amount of dollars it would make sense to try and band-aid it. It is not the kind of office space we are accustomed to having, but we have done it at the old highway office, this building is much nicer than that space. It seems like good stewardship would be to keep it in the short term. Schwartz stated he would not have voted for purchasing that building knowing it was for office space and that was our vote was that we were going to use it for parking space. Holt stated he knows that and he appreciates what they considered is the right thing to do. This is nine months later with a 2-1 recommendation that even though that was the plan it is not a plan that is irreversible. We want you to have these facts to consider. It looks like we are about to get another snowball from the legislature that may be sooner than we are able to do anything other than lease office space for someone and that office space is not going to be found downtown and we go back to the satellite offices as in the 1980's. Dillinger stated he has served on two bank boards that owned that building, they were getting ready to dump that building because it was one of the most expensive buildings to maintain in any of their inventory. Dillinger stated he agrees we are going to need more space, with the space we are going to need more parking. To keep this building and trying to maintain it for five years is an exercise in futility because it is a bigger problem that needs to be addressed in a bigger way. Dillinger stated he would rather lease office space, even if it is offsite, while Envoy finishes their study. When we do build or do what we need to do we do it once and we do it right. Carter stated if we knocked it down it would only be 20 parking spaces, he thought there would be more than that. Altman stated there is a potential with landscaping requirements for a total of 70-80 if we knock over the building. If we pull off the drive thru and reconfigure the parking we would have 50 spaces, the net increase by knocking the building over is 20-25 spaces. Beaver stated he appreciates the work in trying to find space for our employees but there is no movement on the Council, we want it knocked down and turned into parking. Levine stated in her opinion you have four months to come up with an office/parking space structure, get it bonded by July 1st. Altman stated that is not a feasible process we can follow given due diligence. Schwartz stated there are a couple of downtown studies going on; Noblesville is talking about building a civic center and a visitor's center in the downtown district. There may be a possibility of an interlocal agreement to share the same footprint on a piece of property and have a building together that would add more parking to the downtown area. Altman stated we concur but there is going to be a significant cost differential for the use of the space. That is your decision. Levine asked if the Commissioners have considered reconfiguration of the lower level of the Judicial Center? Altman stated that would be very expensive. Beaver stated we have heard the county's space needs both short term and long term. This has been investigated as a possible alternative and we simply don't agree that this is the thing to do. Dillinger stated so we can progress we would like Council to take a vote; we need to move on this one way or another. Beaver motioned to fund it. Motion dies due to lack of a second. McKinney asked who would make the appeal to Noblesville to do away with the landscaping requirements? Dillinger stated until we finish our study, if we tore the building down and utilized it for parking temporarily we could get away without landscaping. Altman stated we are going to have to tear out trees to reconfigure and expand the parking. This is where we are going to have a problem, she has had calls from neighbors not wanting the building to be torn down, not wanting to see a facility there, and we would need to do that to get a variance for landscaping. Altman asked if there is a motion to demolish the existing building and recoup the same for parking? Dillinger motioned to demolish the building and turn it into parking, at least temporary parking until our report gets back as to what we need to do long term. Holt seconded. Motion carried unanimously.

Schwartz stated he has heard discussions of closing Clinton Street, has that been looked at? Dillinger stated this is just a general discussion. We don't know if that is feasible. That discussion is better held if there was some kind of county annex or annex and parking garage in that location. Holt stated our study has to be completed. Levine asked if the building on the old Kahlo lot is usable? Dillinger stated that building is being used by the hospital for ambulances and training. Altman stated she has asked the highway department to look into what it would take to cantilever a walkway on the other side of the bridge structure (SR 32 over White River) or connectivity or connecting to the Riverwalk project. We could have connectivity to the two sides of the river and make that parking lot usable or that land more usable, not only for county but for visitors and downtown development. McKinney asked if there is any movement on the Shell building? Holt stated it is in process. Holt stated when we get the space needs study back a retreat would be a good forum to discuss it.

Administrative Assistant for Commissioners

Altman reminded the Council that they wanted to defer the position of an Administrative Assistant for Commissioners for a retreat discussion item and asked if they would like to discuss it today? The Council has had the job description for months, the position has been moved out of the budget that we requested. McKinney stated it has not been discussed. Levine stated we are a big enough county with a big enough budget that it is probably a good idea. Belden stated wasn't the recommendation to redo the job description? Altman stated the last activity was that we had revised the job description, synched in Fred (Swift) and the new position, we were going to do supervision over the Jail capital project which is the Commissioners purview and the other items that the Sheriff had requested and she thought we had an agreement to move this position to the Commissioners because it was a better use of tax dollars and time and it shifted during budget time. Altman stated we need administrative and technical help at the Commissioner level. Carter requested it be brought to the Personnel Committee and then back to Council.

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Holt motioned to adjourn the Commissioners meeting. Dillinger seconded. Motion carried unanimously.

Beaver motioned to adjourn the Council meeting. Belden seconded. Motion carried unanimously. [10:10]

Present
Christine Altman, Commissioner
Steven C. Dillinger, Commissioner
Steven A. Holt, Commissioner
Brad Beaver, Councilor
Jim Belden, Councilor
Meredith Carter, Councilor
John Hiatt, Councilor
Judy Levine, Councilor
Rick McKinney, Councilor
Steve Schwartz, Councilor
Robin M. Mills, Auditor
Dawn Coverdale, Chief Deputy Auditor
Doug Carter, Sheriff
Kim Rauch, Administrative Assistant to Auditor
Fred Swift, Administrative Assistant to Commissioners
Brad Davis, Highway Director
Joel Thurman, Highway Engineer
Matt Knight, Highway Engineer
Tim Knapp, Right of Way Specialist
Brian Ayer, City of Noblesville
Tania Lopez, Noblesville Ledger
Jonathan Babaloea, Noblesville Times

APPROVED
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ATTEST

Robin M. Mills, Auditor

DATE: _____

APPROVED
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ATTEST

Robin M. Mills, Auditor

DATE: _____